

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

MATT BOYER, :
Plaintiff : CIVIL ACTION NO. 3:18-1858
v. : (JUDGE MANNION)
NANCY A. BERRYHILL, :
Defendant :

MEMORANDUM

Pending before the court is the report of Judge Carlson, which recommends that the plaintiff's complaint challenging the final decision of the Commissioner denying his application for disability benefits ("DIB") under Title II of the Social Security Act, (Doc. 1), be denied and, that the Commissioner's decision be affirmed. (Doc. 13). Neither the Commissioner nor the plaintiff have filed any objections to Judge Carlson's report. The time within which to file objections has expired.

Where no objection is made to a report and recommendation, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." [Fed.R.Civ.P. 72\(b\)](#), advisory committee notes; see also [Univac Dental Co. v. Dentsply Intern., Inc.](#), 702 F.Supp.2d 465, 469 (2010) (citing [Henderson v. Carlson](#), 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review to every Report and Recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept or

modify, in whole or in part, the findings or recommendations made by the magistrate judge. [28 U.S.C. §636\(b\)\(1\)](#); Local Rule 72.31. Upon review, the report and recommendation of Judge Carlson will be adopted in its entirety.

The court has reviewed the reasons presented by Judge Carlson for recommending that the plaintiff's appeal of the Commissioner's decision be denied. Judge Carlson found that substantial evidence supported the Commissioner's finding that the plaintiff had the residual functional capacity to perform a range of light work with restrictions despite his physical and mental impairments. Because the court agrees with the sound reasoning that led Judge Carlson to the conclusions in his report and finds no clear error on the face of the record, the court will adopt the report in its entirety. An appropriate order shall issue.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Date: July 8, 2019

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